

TEXAS TRANSPORTATION COMMISSION

CHEROKEE County

MINUTE ORDER

Page 1 of 1

TYLER District

In the City of Alto, Cherokee County, on FM 343, the State of Texas acquired certain land for highway purposes by an instrument recorded in Volume 294, at Page 76, of the Deed Records of Cherokee County, Texas.

A portion of the land, which portion is described in Exhibit A (tract), is no longer needed for a state highway purpose.

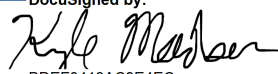
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in right of way no longer needed for a state highway purpose to abutting and adjoining landowners.

The Atoy Cemetery Association is an abutting landowner and has requested to purchase the tract for \$274.

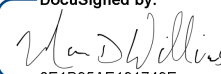
The commission finds \$274 to be a fair and reasonable value of the state's right, title, and interest in the tract.

IT IS THEREFORE ORDERED by the commission that the tract, described in Exhibit A, is no longer needed for a state highway purpose. The commission authorizes the executive director of the department to execute a proper instrument conveying all of the state's right, title, and interest in the tract to the Atoy Cemetery Association for \$274; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Submitted and reviewed by:

DocuSigned by:  
  
BDEF0413AC9E4EC...  
Director, Right of Way Division

Recommended by:

DocuSigned by:  
  
0E1B35AE191740E...  
Executive Director

116162 November 30, 2021

Minute Number	Date Passed
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Field Notes for Atoy Cemetery Association  
Farm To Market Road 343  
CSJ 926-1  
Cherokee County

Tract One:

All that certain lot, tract or parcel of land, being 0.09 acre of land, a portion the Jose Maria Musquez Survey, Abstract Number 37, Cherokee County, Texas, being a portion of a 3.88 acre tract described in Right of Way Deed from M.A. Wade and wife, Nellie Wade to the State of Texas dated July 29, 1946 recorded in Volume 294 Page 076 of the Deed Records of Cherokee County, Texas (DRCCT), said 0.09 acre further described by metes and bounds as follows: (½ inch rebar set refers to ½ inch rebar with cap set (Berry RPLS))

Beginning at a 3/8 inch rebar found in the east margin of Farm To Market Road 343 (140 feet right of way) and the east boundary line of said 3.88 acre conveyance at the southwest corner of a called 12.24 acre tract described in Warranty Deed from A.L.Fannette, Trustee of the Mary Ann Fannette Living Trust to The Horttor Fannett Living Trust (1466/200 OPRCCT), being the northwest corner of a called 1 acre tract described in Warranty Deed from M.A. Wade and wife, Nellie Wade to The Trustees of the Atoy Cemetery Association (344/415 DRCCT), same being 70 feet left at engineer's centerline station 404+11.41,

Thence, with the east right of way of FM 343, S 39°41'26"E 37.09 feet to a ½ inch rebar set at the point of curvature of a curve to the left, being 70 feet left at engineer's centerline station 404+48.5,

Thence, along said right of way curve to the left having the following curve data; interior angle 2°44'42", radius length 2794.95 feet, arc length 133.90 feet, chord bearing and chord length S 41°03'47"E 133.89 feet to a ½ inch rebar set for corner at the southwest corner of said called 1 acre tract, being in the northwest boundary line of a called 6 acre tract described in Warranty Deed from the Trustees of the Atoy Cemeteries Association to Atoy Cemetery Association, Inc. (849/034 DRCCT), same being the southeast corner of said 3.88 acre conveyance, and being 70 feet left at engineer's centerline station 405+85.76,

Thence, S 65°20'18"W 28.10 feet to a ½ inch rebar set in a chain link fence line,

Thence, along said chain link fence, N 38°55'10"W 176.34 feet to a 2 inch chain link fence corner post for corner,

Thence, N 80°44'40"E 25.00 feet to the point of beginning, containing 0.09 acre of land.

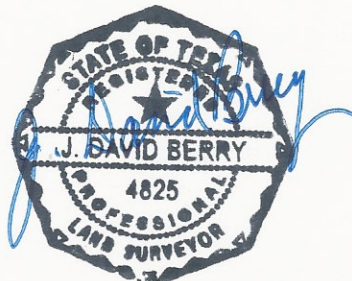
Exhibit A  
Farm To Market Road 343  
CSJ 926-1  
Page 2

I hereby state that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of February 2020. GIVEN UNDER MY HAND AND SEAL this date April 8, 2020.

(Reference is made to plat of said survey of even date prepared by Berry Surveying Company. Bearings based on the Texas Coordinate System, North Central Zone. NAD 83 Datum)

J. David Berry  
Registered Professional Land Surveyor  
Texas Registration No. 4825

Tract 1

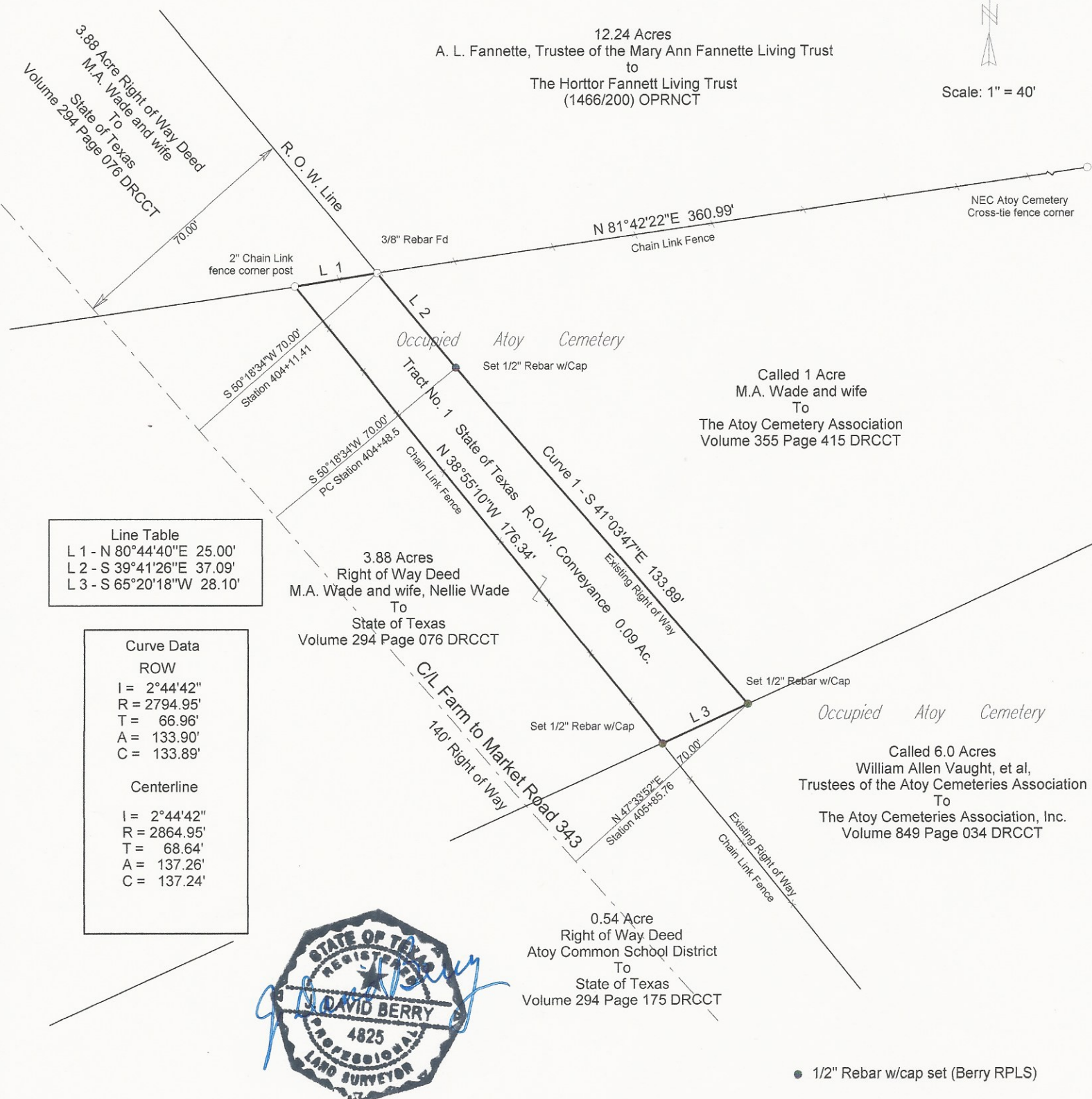




(R.O.W. and Bearing Basis: Texas Coordinate System, North Central Zone, NAD 83 Map Datum)



Scale: 1" = 40'



## Plat of Survey

I hereby state that this plat was prepared under my direction and supervision. Conditions shown were found during an on the ground survey in February 2020. made by J. David Berry RPLS 4825.

Given my hand and seal this date April 8, 2020.

Berry Surveying Company  
P.O. Box 194  
Cushing, Texas 75760  
(936) 326-4365  
Survey Firm Number 10042900